



**SUBSTITUTE DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As below named inventor,

I hereby declare that my residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MANGANESE SUPEROXIDE DISMUTASE GENE POLYMORPHISM FOR PREDICTING CANCER SUSCEPTIBILITY**, the specification of which

☐ is attached hereto.

☒ was filed on April 2, 2001 and assigned Application Serial Number 09/824,629.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign applications for patent or inventor's certificate, listed below and so identified, and I have also identified below any foreign application for patent or inventor's certificate on this invention filed by my or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

Number	Country	Day/Month/Year Filed	Priority Claimed - Yes or No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status

RECEIVED
SEP 04 2003
GROUP 1700
RECEIVED
SEP 12 2003
TECH CENTER 1600/2900

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States provisional application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior provisional application and the filing date of this application.

Provisional Application No.	Filing Date	Status
60/193,964	03/31/2000	Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint all attorneys and agents associated with **Customer Number 23639** with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls with respect to this application be directed to

BINGHAM McCUTCHEN, LLP
 Three Embarcadero Center,
 San Francisco, California 94111
 Telephone No. (415) 393-2000
 Facsimile No. (415) 393-2286

Full name of sole or first joint inventor: Heinz-Josef Lenz

Inventor's signature:

Residence

Post Office Address:

Citizenship:

2002 Glen Allen Lane
 Altadena, CA 91001
 German

Date:

8-5-03

Full name of second joint inventor: Jan Stoehlmacher

Inventor's signature:

Residence

Post Office Address:

Citizenship:

Planckstr. 12, 22765
 Hamburg, Germany
 German

Date:



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Application Serial No.	Filing Date	Status

Docket No. 13761-7001

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States provisional application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior provisional application and the filing date of this application.

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Inventor's signature: _____

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2002 Glen Allen Lane
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 German

Date: _____

Full name of second joint inventor: **Jan Stoehlmacher**

Inventor's signature: _____

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Citizenship:

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 German

Date: 8/25/03